

Application No. 3821.07US01

REMARKS

Claims 9-20 are pending. By this Amendment, the specification is amended, claims 1-8 are canceled, and new claims 9-20 are added.

In view of the foregoing amendments to the claims, reconsideration and withdrawal of the rejection are respectfully requested.

Specification

The Office Action objected to the abstract. Another abstract is submitted herein and is believed to be compliant with all requirements. In view of the revisions to the abstract, reconsideration and withdrawal of the objection are respectfully requested.

Claim Objections

The Office Action objected to the format and dependency of the pending claims. The newly submitted claims are believed to follow the format and dependency mandated in the Office Action and reconsideration and withdrawal of the objection is respectfully requested.

35 U.S.C. § 112

Claims 1-8 are rejected under 35 U.S.C. § 112, ¶ 1 as failing to comply with the enablement requirement. Applicant respectfully traverses this rejection in that the lack of clarity is not relevant to section 112, first paragraph. However, in order to advance the prosecution of this Application, claims 1-8 are canceled and the new claims are believed to be enabled.

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Claims 1-8 are rejected under 35 U.S.C. § 112, ¶ 2 as indefinite. Applicant respectfully traverses this rejection. However, in order to advance the prosecution of this Application, claims 1-8 are canceled and the pending claims 9-20 are believed not to be indefinite.

35 U.S.C. § 102

Claims 1-8 are rejected under 35 U.S.C. § 102(e) as anticipated by Chai (U.S. 6,564,835). Applicant respectfully traverses this rejection. However, in order to advance the prosecution of this Application, claims 1-8 are canceled. Nonetheless, Applicant respectfully points out that the operable presence of the solenoid valve is neither disclosed nor suggested by Chai. In order to establish a prima facie case of anticipation, every limitation in the claim asserted to be anticipated must be disclosed in the single document cited against the claim.¹ The solenoid valve is also a limitation present in the currently pending claims. Because Chai neither discloses nor suggests this limitation, a prima facie case of anticipation has not been established.

¹ See M.P.E.P. § 2131 ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).")

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Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance.

Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

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